

April 15, 2010

The Honorable A. Kathleen Tomlinson  
United States District Court  
Eastern District of New York  
100 Federal Plaza Courtroom 920  
Central Islip, NY 11722

RECEIVED  
U.S. DISTRICT COURT  
OF  
EASTERN DISTRICT OF NEW YORK  
APR 16 2010

Re: Order 07-5138 (JFB)(AKT)  
Chord Assoc. et al v. Protech et al

Dear Judge Tomlinson:

My brother, Richard, and I thank you for your consideration regarding our previous letter to the Court advising you that we had already been deposed. We hesitate to take up more of your time, but another issue regarding our depositions needs to be brought to your attention.

During both of our depositions, Ms. Kramer asked about our participation regarding Belmont Villas. Our testimony clearly acknowledged that we visited Belmont at the invitation of our sister to observe the project construction because Barbara thought it would be interesting for us to witness the development process (we had no participation whatsoever in any dealings she had with GMAC). Because of our areas of expertise, she values our opinions and asked what we thought about items such as roofing and siding choices, the best outlet locations and computer/desk setup in the office, cabinet style and various other decorating and sundry issues. We also agreed to help show the model apartments and assist her by filling out tenant applications when it became very busy. It was interesting to us, and speaking for myself at least, I was also hoping to work in the management office once it was rented up. We are a close-knit family and enjoy working with and helping each other.

Ms. Kramer asked about documents we might have pertaining to Belmont. Since this was Barbara's project and we helped, or at times only observed, her at the site and trailer, we would not have had any documents of our own to produce. Everything belonged to Barbara and was always in her possession, not ours. When we were subpoenaed, we did as the subpoena requested and searched our computers and files at length to see if, by chance, there was something we had but, as we explained to Ms. Kramer in our depositions, we had nothing.

Defendant's counsel appears to be leaving the impression that they are expecting further documents from us. We already clearly and honestly testified that we have no documents and feel unduly stressed by any impression to the contrary.

Your Honor, we appreciate your consideration regarding the issue raised in this letter.

Yours truly,

  
Maureen Saepia

Cc: Andrew S. Donner, Esq.  
Bruce H. Kaplan, Esq.  
Roland Conde  
Catherine McGrath, Esq.